IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.14976 of 2008
SUNIL @ SUNIL KUMAR CHAUDHARY.Vs.THE STATE OF BIHAR
Cr.Misc.No. 16538 of 2008
RAJESH SINGH .VERSUS. THE STATE OF BIHAR

2/ 5.5.2008 Since both the above applications arise out of one and the same P.S.Case, they have been heard together and are being disposed of by this common order.

According to informant Kapildeo Mishra, he was a driver of Mini Bus used to ply up to Patna Via Hajipur Lalganj. Allegation is that in the mid-way, driver petitioner Sunil having rod, Pappu Singh and petitioner Rajesh Singh also having rods and others having sticks came and Sunil asked as to why the vehicle was being plied in this time despite restraint and thereafter Rajesh Singh assaulted by rod to Jawahar Rai and thereafter he and his associates assaulted him with fists and slaps on chest and stomach. The injured was later on succumbed to the injuries.

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Submission is that no offence under Section 302 of the Indian Penal Code is made out and not a signle witness of the locality has supported the prosecution version, rather defence version has been supported. It is also stated that accused Sunil Singh was earlier assaulted by present informant and others at Lalganj.

Considering the facts and circumstances of the case, let petitioners namely, Sunil alias Sunil Kumar Chaudhary (Cr.Misc. 14976 of 2008) and Rajesh Singh (Cr.Misc.No. 16538 of 2008), be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand)

each with two sureties of the like amount each to the satisfaction of Subdivisional Judicial Magistrate,(West),Muzaffarpur in Saraiya P.S.Case No. 296 of 2007.

Tahir/- **(Shyam Kishore Sharma, J.)**

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